

19/033,017 of C

TRANSMITTAL LETTER
(General - Patent Issued)Docket No.
080/01417

Patentee(s): Gad KENAN

U.S. Patent No.

6,788,966 *by*

Issue Date

September 7, 2004

Title: DIAGNOSIS PROBE

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Request for Certificate of Correction of Patent

Certificate
JAN 05 2005
of Correction

- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account 03-3419 as described below.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Paul Fenster

Signature

Paul FENSTER, Reg. No. 33,877

William Squire, Esq.
Carrella, Byrne, Bain, Gillman,
Cecchi, Stewart & Olstein
6 Becker Farm Road
Roseland, NJ 07068-1739
Tel: (973) 994-1700

Customer No.:

cc:

Dated: December 28, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

12/28/2004
(Date)*Janice Speidel*

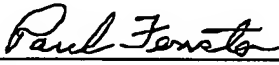

Signature of Person Mailing Correspondence

JANICE SPEIDEL

Typed or Printed Name of Person Mailing Correspondence

P17A/REV04

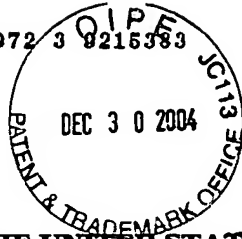
JAN 06 2005

TRANSMITTAL LETTER (General - Patent Issued)		Docket No. 080/01417
Patentee(s): Gad KENAN		
U.S. Patent No. 6,788,966 B2	Issue Date September 7, 2004	
Title: DIAGNOSIS PROBE		
COMMISSIONER FOR PATENTS:		
Transmitted herewith is: Request for Certificate of Correction of Patent		
<p><input checked="" type="checkbox"/> No additional fee is required.</p> <p><input type="checkbox"/> A check in the amount of _____ is attached.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account 03-3419 as described below.</p> <p style="margin-left: 40px;"><input type="checkbox"/> Charge the amount of _____</p> <p style="margin-left: 40px;"><input checked="" type="checkbox"/> Credit any overpayment.</p> <p style="margin-left: 40px;"><input checked="" type="checkbox"/> Charge any additional fee required.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>		
 _____ Signature Paul FENSTER, Reg. No. 33,877		Dated: December 28, 2004
William Squire, Esq. Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein 6 Becker Farm Road Roseland, NJ 07068-1739 Tel: (973) 994-1700		<div style="border: 1px solid black; padding: 5px;"><p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.6(a)] on <u>12/28/2004</u> (Date)</p><p> _____ Signature of Person Mailing Correspondence</p><p><u>JANICE SPEIDEL</u> _____ Typed or Printed Name of Person Mailing Correspondence</p></div>
Customer No.: _____		
cc: _____		

P17A/REV04

JAN 06 2005

080/01417



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Number: 6,788,988 *B2*
Issued: September 7, 2004
Name of Patentee: Gad KENAN
Title of Invention: DIAGNOSIS PROBE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ATTENTION: Decision and Certificate of Correction
Branch of the Patent Issue Division

REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT

1. Attached, in duplicate, is Form PTO-1050, with at least one copy being suitable for printing.
2. The exact places where the error is shown correctly in the application file is:
Request for Amendment of Inventorship filed on December 31, 2003 and Examiner's comments entitled Inventorship in Office Action dated January 23, 2004.
3. Please send the Certificate to the following address:

William Squire, Esq.
Carella, Byrne, Bain, Giffillan, Cecchi, Stewart & Olstein
6 Becker Farm Road
Roseland, NJ 07068-1739

Respectfully submitted,
Gad KENAN

Paul Fenster
Paul FENSTER, Reg. No. 33,877

December 28, 2004

JAN 06 2005

(Also Form PTO-1050)

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

PATENT NO : 6,788,966 *B2*
DATED : September 7, 2004
INVENTOR(S) : Gad KENAN

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Title page
Item (75), Inventors, cancel 2 inventors beginning with "Yael Agi" to and including "Zurit (IL)"

MAILING ADDRESS OF SENDER: William Squire, Esq.
Carrella, Byrne, Bain, Gillman,
Cecchi, Stewart & Olstein
6 Becker Farm Road
Roseland, NJ 07068-1739

PATENT NO. 6,788,966 *B2*

No. of additional copies

→ 0

P15/REV02

JAN 06 2005

(Also Form PTO-1050)

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**PATENT NO : 6,788,966 *B2*

DATED : September 7, 2004

INVENTOR(S) : Gad KENAN

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MAILING ADDRESS OF SENDER: William Squire, Esq.
Carella, Byrne, Bain, Gilliland,
Cecchi, Stewart & Olstein
6 Becker Farm Road
Roseland, NJ 07068-1739

PATENT NO. 6,788,966 *B2*

No. of additional copies

→ 0

P15/REV02

JAN 06 2005

TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.

701030-14

In Re Application Of: Gad KENAN (As amended)

Serial No.
10/033,017Filing Date
October 22, 2001Examiner
COHEN, Lee S.Group Art Unit
3739Title: **DIAGNOSIS PROBE**

Mail Stop 72-FRAN

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Request under 37 C.F.R. §1.48(b) for Amendment of Inventorship in a Patent Application, Other Than a Reissue Application pursuant to 35 U.S.C. 116

In the above identified application.

- ☐ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 03-3419 as described below.
- ☒ Charge the amount of \$130.00
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

Paul Fenster

Signature

Paul FENSTER, Reg. No. 33,877

Dated: December 28, 2003

William Squire, Esq.
 Carolla, Byrne, Bain, Giffillan,
 Cecchi, Stewart & Obstein
 6 Becker Farm Road
 Roseland, NJ 07068-1739
 Tel: (973) 994-1700

I certify that this document and fee is being deposited on 12/29/03 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Janice Speidel
 Signature of Person Mailing Correspondence

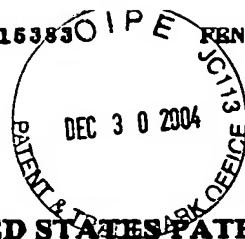
JANICE SPEIDEL
 Typed or Printed Name of Person Mailing Correspondence

cc:

P164REV01

JAN 06 2005

080/01417 A03



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gad KENAN (As amended)

Serial No : 10/033,017

Examiner: COHEN, Lee S.

Filed : October 22, 2001

Group Art Unit: 3739

For : Diagnosis Probe

Mail Stop Petition
Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST UNDER 37 C.F.R. §1.48(b)
FOR AMENDMENT OF INVENTORSHIP IN A PATENT APPLICATION,
OTHER THAN A REISSUE APPLICATION PURSUANT TO 35 U.S.C. 116

Sir:

Applicant hereby requests the Commissioner under 37 C.F.R. §1.48(b) to correct the inventorship in the above-referenced patent application by deleting the following inventors:

Yael Agi GLICKMAN; and

Orna FILO

These inventors' invention are no longer being claimed in this application, due to cancellation of claims in an Amendment being filed concurrently.

The sole remaining inventor is Gad KENAN.

Applicant encloses a processing fee of \$130.00. (See attached transmittal letter for deposit account authorization.)

A revised filing receipt is also requested reflecting the correct inventorship.

Respectfully submitted,
Gad KENAN

Paul Fenster, Reg. No. 33.877

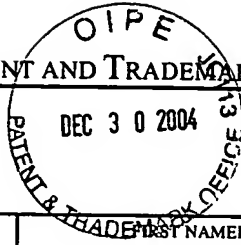
December 28, 2003
William Squire, Esq.
Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein
6 Becker Farm Road
Roseland, NJ 07068-1739

Tel: (973) 994-1700

JAN 06 2005



UNITED STATES PATENT AND TRADEMARK OFFICE



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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/033,017	10/22/2001	Gad Kenan	080/01417	7841
27162	7590	01/23/2004		
CARELLA, BYRNE, BAIN, GILFILLAN, CECCHI, STEWART & OLSTEIN 6 BECKER FARM ROAD ROSELAND, NJ 07068				
			EXAMINER COHEN, LEE S	
			ART UNIT 3739	PAPER NUMBER

DATE MAILED: 01/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

DATE RECEIVED:	1-26-04
DATES ENTERED:	3 Mo. PA
1)	2-23-04 Reminder
2)	3-23-04
3)	4-23-04 Due Date
4)	5-23-04 1st Ext.
5)	6-23-04 2nd Ext.
6)	7-23-04 Final Deadline
DOCKETED BY:	PM
DATE:	1-26

nd 2/1/04

DEC 30 2004

Application No.

10/033,017

Applicant(s)

KENAN ET AL.

Examiner

Lee S. Cohen

Art Unit

3739

Office Action Summary

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/31/03.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-12 and 100-106 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-12,100,102-104 and 106 is/are rejected.
- 7) ☒ Claim(s) 101 and 105 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

Claims 1, 3-8, and 100 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 1, "the at least one printed circuit board" in the last two lines lacks antecedent basis; at least one electrode should extend from at least one of the plurality of printed circuit boards. Claim 7 – "the at least one PCB" lacks antecedent basis; the claim should relate to the plurality of PCBs set forth in claim 1.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 9-12, 102-104, and 106 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Hofman (6,120,493). Applicant's attention is directed to Figures 10-12 and column 9, line 59+ and column 10, line 51+.

Allowable Subject Matter

Claims 1, 3, 5-8, and 100 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

Claims 101 and 105 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Art Unit: 3739

Inventorship

In view of the papers filed December 31, 2003, the inventorship in this nonprovisional application has been changed by the deletion of Yael Agi Glickman and Orna Filo as inventors.

The application will be forwarded to the Office of Initial Patent Examination (OIPE) for issuance of a corrected filing receipt, and correction of the file jacket and PTO PALM data to reflect the inventorship as corrected.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lee S. Cohen whose telephone number is 703-308-2998. The examiner can normally be reached on Monday-Friday, 7:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Linda Dvorak can be reached on 703-308-0994. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9302.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0858.

Lee S. Cohen
Primary Examiner
Art Unit 3739

LSC
January 15, 2004